



# Waganakising Odawak

Little Traverse Bay Bands of Odawa Indians

## Office of Tribal Chairman

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### INTERIM REGULATIONS FOR ISSUING AND MONITORING CHILD FOSTER CARE FACILITY LICENSES REG-WOS 2009-013 060109-001

- I. Introduction.** Pursuant to WOS 2009-013, Section V (A,B) the Child Welfare Commission is delegated to develop regulations for licensing and monitoring child foster care facilities which shall include at a minimum the monitoring of home safety standards and the qualifications for license holders.
- II. Definitions:**
- A. **BIA:** means Bureau of Indian Affairs.
  - B. **Central Registry Clearance:** means a clearance administered by the Michigan Department of Human Services by making a request with standard form DHS-194.
  - C. **Criminal Background Check:** means a basic criminal background check administered by the LTBB Law Enforcement Department.
  - D. **CWC:** means the Little Traverse Bay Bands of Odawa Indians Child Welfare Commission.
  - E. **DHS:** means Michigan Department of Human Services.
  - F. **Foster Home Reference:** means a questionnaire form that individuals who want a license fill out and submit to the LTBB Social Services Department.
  - G. **Home Assessment:** means a two (2) part check of the household measures related to such items as electric, fire, securities, plumbing, maintenance, heat and light ventilation, etc.
  - H. **Home Study:** means a general or relative placement interview process related to the home and the person(s) residing in the home.
  - I. **LTBB:** means the Little Traverse Bay Bands of Odawa Indians.
  - J. **Medical Background:** means to show proof that the licensee is physically able to care for the children.

### **III. Criteria for Foster Home Licensing.**

- A. When considering an application for licensure the Department and CWC will use the criteria established in the *Good Moral Character Handbook* adopted by the State of Michigan Department of Consumer and Industry Services Bureau of Family Services, the BIA Standards in 25 CFR 63, Minimum Standards of Character and PL 101-630, Criminal Investigations.
- B. Prior to completing the documentation listed below the LTBB Social Services Department initiates a Preliminary Applicant Information Form, the Criminal Background Check and the Request for Central Registry Clearance. Once these preliminary steps have been successfully completed the LTBB Social Services conducts the final studies, assessments and reports before being sent to the CWC for consideration:
  - 1. A Home Study;
  - 2. A Home Assessment;
  - 3. The Foster Home Reference; and
  - 4. A Medical Background;

**IV. Criteria Completion and Submission.** Upon successful completion of the criteria required to obtain a home license the Director of LTBB Social Services forwards the file to the Child Welfare Commission for approval and issuance of the license. When approved a copy of the CWC minutes is sent to the LTBB Social Services Department. A tribal license is prepared and signed by the CWC Chairperson or designee. The approved license is sent to the Licensee. Copies of all licenses are retained by the CWC and the LTBB Social Services Department.

**V. Monitoring.** Licenses are monitored continually. In addition to an on-going monitoring all licenses are reviewed at a minimal of one (1) time annually. Criminal Investigations are conducted every five (5) years according to PL 101-630. If a Licensee no longer meets the required standards they will have their license revoked. Such an action will be initiated by a report filed by the LTBB Social Services Department with the CWC. Upon review of the report the CWC may take immediate action to revoke, may decide that it will not support a revocation or may have a meeting with the Licensee in question if the CWC feels that a meeting is necessary to make a determination. In any event, the Licensee in question has the right to request a meeting with the CWC to protest a revocation. Such meetings will be held in a timely manner. In all cases, the continued welfare and safety of tribal children will be the primary criteria considered in any revocation or reinstatement.

## **CERTIFICATION**

As Chairperson, I approve these Interim Regulations for Issuing and Monitoring Child Foster Care Facility Licenses. These Regulations will be posted for public comment and may be amended pursuant to public or staff comments before submission of final regulations to the Tribal Council.

Date: \_\_\_\_\_

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Frank Ettawageshik, Tribal Chairperson